

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

An initial hearing on supervised release revocation in this case was scheduled before me on April 21, 2009. The United States was represented by AUSA Bruce Miyake and the defendant by Howard Ratner. The proceedings were digitally recorded.

Defendant had been sentenced on or about October 6, 2006 by the Honorable John C. Coughenour on a charge of RICO Conspiracy, and sentenced to 30 months custody, 3 years supervised release. (Dkt. 1126.)

The conditions of supervised release included the standard conditions plus the requirements that defendant participate in a substance abuse program, submit to search, provide access to financial information and be prohibited from associating with any known outlaw

**SUMMARY REPORT OF U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE**
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01 motorcycle gang members or wearing any outlaw motorcycle club emblems or support
02 paraphernalia.

03 In an application dated March 19, 2009 (Dkt. 1222), U.S. Probation Officer Jerrod Akins
04 alleged the following violations of the conditions of supervised release:

05 1. Committing the crime of negligent driving on March 25, 2008, in violation of the
06 general condition that he not commit another federal, state or local crime.

07 2. Failing to report law enforcement contact on March 5, 2009, within 72 hours as
08 instructed, in violation of standard condition No. 11.

09 3. Associating with a convicted felon, Scott Baker, on March 12, 2009, without
10 permission, in violation of standard condition No. 9.

11 4. Associating with a person engaged in criminal activity on March 12, 2009, in
12 violation of standard condition No. 9.

13 Defendant was advised in full as to those charges and as to his constitutional rights.

14 Defendant admitted the alleged violations and waived any evidentiary hearing as to
15 whether they occurred.

16 I therefore recommend the Court find defendant violated his supervised release as
17 alleged, and that the Court conduct a hearing limited to the issue of disposition. The next
18 hearing will be set before Judge Coughenour.

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Pending a final determination by the Court, defendant has been released on the conditions
of supervision.

DATED this 21st day of April, 2009.



Mary Alice Theiler
United States Magistrate Judge

cc: District Judge: Honorable John C. Coughenour
AUSA: Bruce Miyake
Defendant's attorney: Howard Ratner
Probation officer: Jerrod Akins